

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4129 of 2021

Arising Out of PS. Case No.-195 Year-2019 Thana- GOPALPUR District- Gopalganj

MANISH PATEL @ MANISH KUMAR PATEL @ MANISH KUMAR S/o
Birendra Patel @ Virendra Patel @ Virendra R/o village- Salemgarh
Chhaunipur, P.S.- Tareya Sujjan, District- Kushinagar (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-03-2021 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The informant has alleged that his employee's Laptop, cash amounting to Rs 20,000/- and two mobile phones have been looted at gunpoint regarding which he has received telephonic information from his employee.

Learned counsel for the petitioner submits that while the petitioner was in judicial custody in connection with Sidhwalia PS Case No 81 of 2020, he has been remanded in this case merely on his own confessional statement, having no evidentiary value. It has been submitted on behalf of petitioner



that there is no recovery of any incriminating article from his possession and till date, he has not been put on Test Identification Parade. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Bablu Kumar Prasad and Golu Kumar. It has been further submitted that Golu Kumar on whose confessional statement petitioner has been made accused in this case has already been granted bail by a co-ordinate bench of this Court vide order dated 09.11.2020 passed in Criminal Miscellaneous No. 28986 of 2020. Petitioner is in custody since 02.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Gopalpur P.S. Case No. 195 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the



court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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